

(b) (1) The single point of contact is not obligated to transmit comments from State, areawide, regional or local officials and entities where there is no State process recommendation.

(2) If a State process recommendation is transmitted by a single point of contact, all comments from State, areawide, regional, and local officials and entities that differ from it must also be transmitted.

(c) If a State has not established a process, or is unable to submit a State process recommendation, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department.

(d) If a program or activity is not selected by a State process, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department. In addition, if a State process recommendation for a non-selected program or activity is transmitted to the Department by the single point of contact, the Secretary follows the procedures of § 3015.309 of this subpart.

(e) The Secretary considers comments which do not constitute a State process recommendation submitted under these regulations and for which the Secretary is not required to apply the procedures of § 3015.309 of this subpart, when such comments are provided by a single point of contact by the applicant, or directly to the Department by a commenting party.

§ 3015.309 Accommodation of intergovernmental concerns.

(a) If a State process provides a State process recommendation to the Department through its single point of contact, the Secretary either—

- (1) Accepts the recommendations;
- (2) Reaches a mutually agreeable solution with the State process; or
- (3) Provides the single point of contact with a written explanation of the decision, as the Secretary in his or her discretion deems appropriate. The Secretary may also supplement the written explanation by also providing the explanation to the single point of contact by telephone, other telecommunication, or other means.

(b) In any explanation under paragraph (a)(3) of this section, the Secretary informs the single point of contact that:

- (1) The Department will not implement its decision for at least ten days after the single point of contact receives the explanation; or
- (2) The Secretary has reviewed the decision and determined that, because of unusual circumstances, the waiting

period of at least ten days is not feasible.

(c) For purposes of computing the waiting period under paragraph (b)(1) of this section, a single point of contact is presumed to have received written notification five days after the date of mailing of such notification.

§ 3015.310 Interstate situations.

(a) The Secretary is responsible for:

- (1) Identifying proposed Federal financial assistance and direct Federal development that have an impact on interstate areas;

(2) Notifying appropriate officials in States which have adopted a process and which selected the Department's program or activity;

(3) Making efforts to identify and notify the affected State, areawide, regional, and local officials and entities in those States that have not adopted a process under the Order or do not select the Department's program or activity; and

(4) Responding, pursuant to § 3015.309 of this subpart, if the Secretary receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Department have been delegated.

(b) The Secretary uses the procedures in § 3015.309 if a State process provides a State process recommendation to the Department through a single point of contact.

§ 3015.311 Simplification, consolidation, or substitution of State plans.

(a) As used in this section:

(1) "Simplify" means that a State may develop its own format, choose its own submission date, and select the planning period for a State plan.

(2) "Consolidate" means that a State may meet statutory and regulatory requirements by combining two or more plans into one document and that the State can select the format, submission date, the planning period for the consolidated plan.

(3) "Substitute" means that a State may use a plan or other document that it has developed for its own purposes to meet Federal requirements.

(b) If not inconsistent with law, a State may decide to try to simplify, consolidate, or substitute Federally required State plans without prior approval by the Secretary.

(c) The Secretary reviews each State plan a State has simplified, consolidated or substituted and accepts the plan only if its contents meet Federal requirements.

§ 3015.312 Waivers.

In an emergency, the Secretary may waive any provision of these regulations.

Issued at Washington, D.C.

John J. Franke, Jr.,
Assistant Secretary for Administration.

Approved: June 14, 1983.

John R. Block,
Secretary of Agriculture.

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BILLING CODE 3410-K5-M

7 CFR Part 3015

Department of Agriculture Programs and Activities Covered Under Executive Order 12372

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule related notice.

SUMMARY: The purpose of this Notice is to inform State and local governments and other interested persons of programs and activities included within the scope of Executive Order 12372, "Intergovernmental Review of Federal Programs." A full understanding of the requirements of the Order may be gained by referring to the final rules published in 7 CFR Part 3015, Subpart V, appearing in this Part III in today's Federal Register.

FOR FURTHER INFORMATION CONTACT: Ms. Lyn Zimmerman, Supervisory Program Analyst, Office of Finance and Management, USDA, Room 143-W, Administration Building, Washington, D.C. 20250 (telephone (202) 382-1553).

SUPPLEMENTARY INFORMATION: The listing of programs and activities that are subject to Executive Order 12372 is listed by the Catalog of Federal Domestic Assistance Number as follows:

Animal Plant and Health Inspection Services

CFDA No.

10.025 All Domestic Programs and Activities.

Agricultural Marketing Service

10.156 Federal/State Marketing Service

Farmers Home Administration

- 10.405 Farm Labor Housing Grants *
- 10.409 Irrigation and Drainage Loans *
- 10.411 Site Development Loans *
- 10.411 Self-Help Site Development Loans *
- 10.413 Recreation Facility Loans *

- 10.414 Resources Conservation and Development Loans *
- 10.415 Rural Rental Housing Loans *
- 10.416 Soil and Water Loans *
- 10.418 Water and Waste Disposal Loan and Grant Program *
- 10.419 Watershed Loans and Advances *
- 10.420 Mutual and Self-Help Housing Grants *
- 10.420 Self-Help Technical Assistance Grants *
- 10.422 Business and Industrial Loans *
- 10.423 Community Facilities Loans *
- 10.424 Industrial Development Grants *
- 10.427 Rural Assistance Payments *
- 10.430 Energy Impacted Area Development Assistance *
- 10.431 Technical and Supervisory Assistance Grants *
- 10.432 Biomass Energy and Alcohol Fuel Loans *

* Programs covered by Section 204 of the Demonstration Cities and Metropolitan Development Act.

Food Safety and Inspection Service

- 10.475 Cooperative Meat and Poultry Inspection Program (wholesale meat, poultry and Talmadge-Aiken)

Food and Nutrition Service

- 10.550 Food Processing
- 10.550 Food Distribution Program on Indian Reservations
- 10.553 School Breakfast Program
- 10.555 National School Lunch Program
- 10.556 Special Milk Program for Children
- 10.557 Special Supplemental Food Program for Women, Infants and Children
- 10.558 Child Care Food Program
- 10.559 Summer Food Service Program
- 10.560 State Administrative Expenses for Child Nutrition
- 10.561 State Administrative Matching grants for Food Stamp Program
- 10.564 Nutrition Education and Training Program
- 10.565 Commodity Supplemental Food Program

Forest Service

- 10.664 Cooperative Forestry Assistance
- National Forest System Land Management Practices Which Involve Direct Development Activities

Rural Electrification Administration

- 10.850 Rural Electrification Loans and Loan Guarantees to governmental entities
- 10.851 Rural Telephone Loans and Loan Guarantees to governmental entities

Soil Conservation Service

- 10.901 Resource Conservation and Development
- 10.904 Watershed Planning and Operations
- 10.904 Flood Plain Management
- 10.906 River Basin Survey and Investigation

June 14, 1983.

John J. Franks, Jr.,

Assistant Secretary for Administration.

[FR Doc. 83-10729 Filed 6-23-83; 8:45 am]

BILLING CODE 3410-KS-M

7 CFR 3015

Department of Agriculture Programs and Activities Excluded from Executive Order 12372

AGENCY: Office of the Secretary, USDA.
ACTION: Final rule related notice.

SUMMARY: The purpose of this Notice is to inform State and local governments and other interested persons of programs and activities excluded from the scope of Executive Order 12372, "Intergovernmental Review of Federal Programs." A full understanding of the requirements of the Order may be gained by referring to the final rules published in 7 CFR Part 3015, Subpart V, appearing in this Part III in today's Federal Register.

FOR FURTHER INFORMATION CONTACT: Ms. Lyn Zimmerman, Supervisory Program Analyst, Office of Finance and Management, USDA, Room 143-W, Administration Building, Washington, D.C. 20250 (telephone (202) 382-1553).

SUPPLEMENTAL INFORMATION: This listing of programs and activities excluded from the scope of Executive Order 12372 is listed by the Catalog of Federal Domestic assistance number as follows:

Agricultural Research Service

CFDA No.

- 10.001 Basic and Applied Agriculture Research—Research, development, and demonstration that does not have a unique geographic focus, are not directly relevant to State and local government responsibilities, do not require an EIS, and do not expose the public to adverse exposure or hazard. These activities are National in scope and the results of research are beneficial to National goal

Agricultural Stabilization and Conservation Service

- 10.051 Commodity Loans and Purchases—Direct payments to individuals

- 10.052 Cotton Production Stabilization—Direct payments to individuals
- 10.053 Dairy Indemnity Payments—Direct payments to individuals
- 10.054 Emergency Conservation Program—Direct payments to individuals
- 10.055 Feed Grain Production Stabilization—Direct payments to individuals
- 10.056 Storage Facilities and Equipment Loans—Direct payments to individuals
- 10.058 Wheat Production Stabilization—Direct payments to individuals
- 10.059 National Wool Act Payments—Direct payments to individuals
- 10.062 Water Bank Program—Direct payments to individuals
- 10.063 Agricultural Conservation Program—Direct payments to individuals
- 10.063 Appalachian Land Stabilization and Conservation Program—Direct payments to individuals
- 10.064 Forestry Incentives Program—Direct payments to individuals
- 10.065 Rice Production Stabilization—Direct payments to individuals
- 10.066 Emergency Feed Program—Direct payments to individuals
- 10.067 Grain Reserve Program—Direct payments to individuals
- 10.068 Rural Clean Water Program—Direct payments to individuals

Agriculture Marketing Service

- 10.153 Market News—Partially fee supported activity—non financial assistance—Dissemination of Technical Information
- 10.154 Market Supervision and Assistance—Fee supported trust fund activity—non financial assistance—Provision of specialized services
- 10.155 Marketing Agreements and Orders—Advisory services and counseling—non financial assistance—Provisions of specialized services
- 10.162 Inspection Grading and Standardization—Fee supported trust fund activity—non financial assistance—Provisions of specialized services
- 10.163 Market Protection and Promotion—Provisions of specialized services—non financial assistance—Advisory services and counseling
- 10.164 Wholesale Market Development—Applied research to improve the efficiency of the Food distribution system and assist in developing better wholesale market centers

- 10.165 Perishable Agriculture Commodities Act—Fee supported trust fund activity—non financial assistance—Investigation of complaints

Cooperative State Research Service

- 10.200 Special Research Grants—Basic Research grants in Food and Agricultural Sciences
- 10.200 Native Latex Research—Basic Research in the commercialization of Native Latex
- 10.202 Cooperative Forestry Research—Formula grants to support research, development and demonstration programs which are National in scope
- 10.203 Payments to Agricultural Experiment Stations under the Hatch Act—Formula grants to support Agricultural Research at State Agricultural Experiment Stations
- 10.205 Payments to 1890 Land-Grant—Formula grants to support Colleges and Tuskegee Institute—Agricultural Research at 1890 Land-Grant Colleges and Tuskegee Institute
- 10.205 1890 Land-Grant College Research Facilities—Formula grants to upgrade research facilities to strengthen capacity to conduct research in the Food and Agricultural Sciences
- 10.206 Competitive Research Grants—Basic Research grants in the areas of Biological Nitrogen Fixation, Biological Stress on Plants, Photosynthesis, Genetic Mechanisms of Crop Improvement and human requirements for nutrients
- 10.207 Animal Health and Disease Research—Formula grants to support research, development, and demonstration programs which are National in scope
- 10.208 Alcohol Fuels Research Grants—Basic Research on evaluation, treatment, and conversion of biomass resources for the manufacture of ethyl alcohol

Economic Research Service

- 10.250 Economic Analysis and Research—Research, development and demonstration program; and direct financial assistance between the Federal government and a nongovernmental entity

Agriculture Cooperative Service

- 10.350 Technical assistance to Cooperatives—Applied research on cooperatives matters. Funding arrangements with cooperative and State universities.

Human Nutrition Information Service

- 10.375 Consumer Nutrition—Research development, and demonstration. Program has National focus, is not directly relevant to the responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public
- 10.375 Nutrition Guidance and Education Research—Research development, and demonstration. Program has National focus, is not directly relevant to the responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public
- 10.375 Food and Nutrition Information—Research, development and demonstration. Program consists of maintaining a library collection of materials on food and nutrition, lending materials to nongovernmental entities and government agencies, and developing bibliographic data base. No interpretation of information is provided. Program has a national focus, is not directly relevant to the governmental responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public

Farmers Home Administration

- 10.404 Emergency Loans and Economic Emergency Loans—Emergency assistance to nongovernmental entities
- 10.406 Farm Operating Loans—Direct financial assistance between the Federal government and nongovernmental entities
- 10.407 Farm Ownership Loans—Direct financial assistance between the Federal government and nongovernmental entities
- 10.408 Grazing Association Loans—Direct financial assistance between the Federal government and nongovernmental entities
- 10.410 Low to Moderate Income Housing Loans—Direct assistance to individuals
- 10.417 Very Low-income Housing Repair Loans and Grants—Grants to Individuals

- 10.421 Indian Land Acquisition Loans—Direct financial assistance between the Federal government and non-governmental entities
- 10.428 Economic Emergency Loans—Direct loan to individuals and other non-governmental entities

Federal Crop Insurance Corporation

- 10.450 Federal Crop Insurance—Direct payment to individuals, payment of claims under contract, and direct financial assistance between the Federal government and the individual

Food Safety and Inspection Service

- 10.477 Meat and Poultry Inspection—Foreign Commerce Inspection, no financial assistance

Food and Nutrition Service

- 10.551 Food Stamp Program (Coupons)—The Food Stamp Program is an entitlement program and benefits are provided directly to individuals

Forest Service

- 10.652 Research grants and Cooperative Agreements—Direct financial assistance between the federal government and a nongovernmental entity
- Forest Service research activities as follows: Research, development, and demonstration programs or activities.
- Fire and Atmospheric Sciences Research
- Forest Insect and Disease Research
- Renewable Resources Evaluation Research
- Renewable Resources Economics Research
- Surface Environment and Mining Research
- Trees and Timber Management Research
- Watershed Management Research
- Wildlife, Range, and Fish Habitat Research
- Forest Recreation Research
- Forest Products Utilization Research
- Forest Engineering Research
- National Forest Systems Activities as follows: Funds are distributed by formulas that are established by laws, and federal agencies have no authority to approve specific sites or projects where funds will be issued
- 10.665 Schools and Roads—Grants to States
- 10.666 School and Roads—Grants to Counties
- 10.667 School Funds—Grants to Arizona

10.668 Additional Lands—Grants to Minnesota

National Forest System Activities—Land management practices involved with the administration and protection of resources on National Forest System lands, which are not direct development

Negotiations of involved and sensitive land exchanges or purchases which would be endangered or hampered with premature release of appraisal figures, resulting in adverse effects of local land speculation

Programs with characteristics inappropriate for coverage. For example, assistance to educational institutions regarding fire prevention and soil and water conservation

Projects which are of small scale or size, are highly localized as to impacts, or display other characteristics which make review impractical

National Agriculture Library

10.700 National Agriculture Library—No financial activity outside of Headquarters

Packers and Stockyard Administration

10.800 Livestock and Poultry Market Supervision—Investigation of complaints—applied research in Market operations—funding arrangements with State universities

Rural Electrification Administration

10.850 Rural Electrification Loans and Loan Guarantees to non-governmental entities

10.851 Rural Telephone Loans and Loan Guarantees—to non-governmental entities

10.852 Rural Telephone Bank Loans—Direct financial assistance between the Federal government and a non-governmental entity

Soil Conservation Service

10.900 Great Plains Conservation Program (GPCP)—Technical and financial assistance to individual land users

10.902 Soil and water conservation—assistance to individuals

10.903 Soil Surveys (Land Grant Universities only)—Soil survey research and the field collection of data is accomplished by Federal and Land Grant University personnel. Final decisions affecting the integrity of studies are based on National needs and technical criteria

10.905 Conservation Operations Plant Materials Centers—All operations are internal to the agency and plants developed are released through universities

Conservation Operations—technical assistance—Technical assistance to individual land users, including Indians

Conservation Operations—Inventory and monitoring—Program consists of data collection using a nationwide sample frame. Final decision affecting the integrity of studies are based on National needs and technical criteria

10.907 Conservation Operations—snow surveys and water

forecasting—Program is data collection program from multistate sample frame. Data deals with water content of snow pack in the western mountain States. Stream flows result in water being used in a number of States before reaching the ocean. Final decisions affecting the integrity of studies are based on National needs and technical criteria.

10.908 Inventory and monitoring—dissemination of technical information

10.910 Rural Abandoned Mine Program—Direct payment for specified use

Statistical Reporting Service

10.950 Crop and Livestock Estimates—Federal statutory preemption precludes any State or local jurisdiction over this program, and the recommendation of State and local governments can have little or no bearing on Federal decisions in this area. Meaningful consultation would breach the confidentiality required by Federal statute (18 U.S.C. 1902) relating to the disclosure of crop information

10.950 Statistical Research and Service—Research, development and demonstration program, and direct financial assistance between the Federal government and a nongovernmental entity

John J. Franke, Jr.,

Assistant Secretary for Administration.

June 14, 1983.

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